DT03 Rec'd PCT/PTO 03 SEP 2004 Mail Stop PCT

[redacted]O-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 117-512 #3
TRANSMITTAL LETTER T[redacted]E UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLIC[redacted]NO. (If known, see 37 C.F.R. 1.5) 10/500,954
INTERNATIONAL APPLICATION NO. **PCT/GB04/00997**	INTERNATIONAL FILING DATE **08 March 2004**	PRIORITY DATE CLAIMED **25 April 2003**

TITLE OF INVENTION
A METHOD OF, AND SYSTEM FOR, HEURISTICALLY DETECTING VIRUSES IN EXECUTABLE CODE

APPLICANT(S) FOR DO/EO/US
SHIPP, A.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
   a. ☐ is attached hereto (pages specification, claims & abstract (claims), sheets drawings).
   b. ☐ has been communicated by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation
   a. ☐ of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).
   b. ☐ of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
   d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. a. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
   b. ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
10. See item 6.b. above.
    Items 11 To 20 below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information.

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U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/500,954	PCT/GB04/00997	117-512

21. ☒ The following fees are submitted:

	CALCULATIONS PTO USE ONLY
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):	
-- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO $1080.00	
-- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO $920.00	
-- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO..... $770.00	
-- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) $730.00	
-- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) $100.00	

ENTER APPROPRIATE BASIC FEE AMOUNT =						$		
Surcharge of $130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).						$	0.00	
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE				
Total Claims	0	minus 20 =	0	X	$18.00	$	0.00	
Independent Claims	0	minus 3 =	0	X	$86.00		0.00	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				$290.00		$	0.00	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) ($110.00/1 month; $420.00/2 months; $950.00/3 months						$	0.00	
TOTAL OF ABOVE CALCULATIONS =						$	**0.00**	
☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							0.00	
SUBTOTAL =						$	**0.00**	
Processing fee of $130.00, for furnishing the English Translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). +							0.00	
TOTAL NATIONAL FEE =						$	**0.00**	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). **$40.00** per property +						$	40.00	
Fee for Petition to Revive Unintentionally Abandoned Application ($1330.00 – Small Entity = $665.00)						$	0.00	
TOTAL FEES ENCLOSED =						$	**40.00**	
						Amount to be: refunded	$	
						Charged	$	

a. ☒ A check in the amount of $40.00 to cover the above fees is enclosed.
b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of $_____ to cover the above fees. A duplicate copy of this form is enclosed.
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
d. ☒ The entire content of International Application No. **PCT/GB04/00997** and any U.S. and foreign application(s) corresponding thereto, and , referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

Direct all correspondence to:

☒ **Customer Number:** **23117**

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Telephone: (703) 816-4000
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Arthur R. Crawford
NAME

25,327 **September 3, 2004**
REGISTRATION NUMBER Date

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